## FILED

## UNITED STATES COURT OF APPEALS

## JUN 10 2008

## FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK OF COURT U.S. COURT OF APPEALS

RICHARD ANDREW TARANTINO, Jr.,

Plaintiff - Appellant,

v.

STEVEN SYPUTA; RON ACE; CODY HARRISON; TONY HUNLEY; SHAWN SPENCER; KRISTINA CHAMPAGNE; SHERRY R. RUBIO, dba: Contra Costa Tow; dba: Save Tow Towing Company; MARIA BATTERTON dba: Bay Point Tow Service; BRYRICH CORPORATION, dba: B&D Towing; dba: Road One of Concord California; CITY OF CONCORD; MICHAEL RHODES; BAY POINT TOW; SAVE TOW TOWING COMPANY,

Defendants - Appellees.

No. 06-16178 D.C. No. CV-03-03450-MHP Northern District of California, San Francisco

**MANDATE** 

The judgment of this Court, entered 3/20/08, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure.

FOR THE COURT:

Molly C. Dwyer Clerk of Court

By: Lee-Ann Collins Deputy Clerk